

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2063.04
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	September 29, 2003
DATE OF REPORT:	October 29, 2003
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	December 5, 2003

COMPLAINT ISSUES:

Whether the Gary Community School Corporation violated:

511 IAC 7-24-1 by failing to appoint an educational surrogate parent.

FINDINGS OF FACT:

1. The Student is twelve years old, and is eligible for special education and related services as a student with health impairment. The Student lives with a foster parent and she is not his educational surrogate parent
2. The case conference in question was conducted June 4, 2003. The conference was held to discuss data from a psychiatric evaluation, dated May 27, 2003. The School acknowledges that they failed to appoint an educational surrogate parent.
3. At the time this complaint was filed, it was not clear whether the School had appointed and trained an educational surrogate parent. Requested documentation to show whether the School had appointed and trained an educational surrogate parent for the Student was not provided.

CONCLUSIONS:

1. Findings of Fact #2 and #3 indicate the school personnel failed to appoint an educational surrogate parent for the Student. Therefore, a violation of 511 IAC 7-24-1 is found.

The Department of Education, Division of Exceptional Learners requires corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Gary Community School Corporation shall:

1. Submit to the Division no later than December 1, 2003, documentation indicating the Student's designated educational surrogate parent, in addition to documentation showing training received. Failure to sufficiently show this may result in further action by the Division of Exceptional Learners.

2. Develop, review, and/or revise procedures for appointing and training educational surrogate parents. Submit to the Division no later than December 1, 2003, a copy of procedures and an assurance statement signed by the Superintendent that all public agencies will have a copy on hand.
3. Send a written memorandum to all appropriate personnel in regard to the requirements of 511 IAC 7-24-1. Submit a copy of the memorandum and a copy of the names of those who received it to the Division no later than December 1, 2003.